CUSTOMER NO. 24498         Atty. Dkt: PD020100
Serial No. 10/530,881
Response to OA dtd May 13, 2008

## Remarks

Claims 16, 17, 19-23, and 25-29 are pending in the application

Claims 16, 17, 19-23, and 25-29 stand rejected.

The independent claims 16, 22, 28 and 29 have been amended herein to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

**Rejection of claims 16, 17, 19-23, and 25-29 under 35 USC 102(b) as allegedly being anticipated by Potard et al. (hereinafter Potard) "Using XML Schemas to Create and Encode Interactive 3-D Audio Scenes for Multimedia and Virtual Reality Applications"**

Applicants submit that for at least the reasons discussed below claims 16, 17, 19-23, and 25-29 are not anticipated by Potard because the reference fails to teach or suggest each and every claimed feature.

Applicants' claim 16 includes the features of: "assigning a value to a first non-point sound source using said audio signal" and "incrementing said value for an additional non-point sound source using the same audio signal" (emphasis added).

The claimed feature is supported by applicants' specification. For example, starting with a certain value for a first non-point sound source and incrementing the value for an additional non-point sound source is shown in the BIFS example in table 4. As illustrated in table 4 the first sound box has a diffuse select parameter starting with 1, for the next sound box this diffuse select parameter is incremented to 2, and for the third sound box it is incremented to 3.

This feature of incrementing said value for an additional non-point sound source using the same audio signal is not disclosed or suggested by Potard.

Furthermore, claim 16 recites: "incrementing said value for an additional non-point sound source using the same audio signal; and generating, for said additional non-point sound source, a parametric description, said parametric description including said incremented value in a field specifying decorrelation information to specify a different decorrelation for said additional non-point sound source" (emphasis added).

According to applicants' feature a first non-point sound source and an additional non-point sound source both are using the same audio signal and are having different decorrelations specified. In contrast to applicants' claim 16, Potard does not even suggest the need to apply a decorrelation where the same audio signal is used for more than one non-point sound source. Potard in section 2.3.1 only discloses macro-objects, which relate to the repetition of an object after some transformation (for example pitch). According to Potard a group of choristers is created from the same singer-object by repeating it several times after a pitch transformation is applied.

While it is argued in the Office Action that assigning different positions to different objects, as disclosed by Potard, would correspond to assigning different decorrelations, applicants still respectfully disagree that this above feature is suggested by Potard. As mentioned before, the only purpose of the parameters described by Potard is to define the objects position as correctly as possible, for example the group of choristers as discussed above. However, Potard does not mention or suggest that the parameters are for assigning one of several decorrelations.

Claim 16 also recites: "generating for said first non-point sound source a parametric description, said parametric description including said assigned value in a field specifying decorrelation information" (emphasis added). In contrast, as discussed above, in Potard the information specified concerns the position of the objects.

For at least the foregoing reasons, it is respectfully submitted that claim 16 includes features not found or suggested in Potard. Therefore, the rejection of claim 16 should be should be withdrawn.

Claims 17 and 19-21 depend from claim 16 and include the above discussed distinguishing features. In addition, each dependent claim includes further distinguishing features not found or suggested in Potard.

Independent claims 22, 27 and 28, while different from claim 16, include similar distinguishing features as discussed above with regard to claim 16. Accordingly, without conceding any statements or waiving any arguments concerning claims 22, 27 and 28, each of these independent claims are allowable for at least the reasons discussed above and the rejections should be withdrawn.

Claims 23 and 25-26 depend from claim 22 and include at least the distinguishing features recited in claim 22. As discussed above, with regard to claim 16, these features are not found or suggested in Potard. In addition, each dependent claim includes further distinguishing features not found in Potard.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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